45612 \

Docket No. 03500.012830

PETITION FOR EXTENSION OF TIME AND NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES

In re Application of: MAKOTO SATOH ET AL.

Application No.: 09/110,018

For: IMAGE PICKUP APPARATUS, METHOD, AND STORAGE MEDIUM

FOR DISPLAYING, COMPRESSING, AND ENCODING IMAGE DATA

Filed: July 2, 1998

Group Art Unit: 2612

Mail Stop AF
Commissioner for Patents
P. O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

Applicants' hereby appeal to the Board of Patent Appeals and Interferences from the decision dated March 17, 2004, of the Primary Examiner finally rejecting Claims 1, 3, 5, 12, 14, 16, 23, 25 and 27.

The items checked below are appropriate.

1. X Applicants' petition the Commissioner for Patents to extend the time for responding to the Office Action dated March 17, 2004, by two months, from July 17, 2004, to September 17, 2004. Since a one-month extension fee of \$110.00 was included with the Supplemental Response After Final Action dated July 13, 2004, submitted herewith is a check for the \$840.00 extension fee under 37 C.F.R. §1.17.

09/22/2004 WABDELR1 00000001 09110018

01 FC:1401 02 FC:1253 330.00 OP 840.00 OP I hereby certify that this correspondence is being deposited with the United States Postal Service as first-class mail in an envelope addressed to: Commissioner for Patents, P. O. Box 1450, Alexandria, Virginia 22313-1450 on

September 17, 2004 (Date of Deposit)

Peter G. Thurlow, Reg. No. 47,138

(Name of Attorney for Applicant)

1 Theday Somtombon

Signature

September 17, 2004

| 2. A Petition for an additional month extension of time to take further action, together with the \$ extension fee under 37 C.F.R. §1.17, was filed on |
|---|
| 3. X Fee \$330.00 |
| Fee \$165.00 (Verified Statement claiming small entity status is enclosed, if not filed previously.) |
| X Enclosed |
| Not required (fee paid in prior appeal) |
| Charge to Deposit Account No. 06-1205 (One additional copy of this Notice enclosed herewith) |
| 4. X Any prior general authorization to charge an issue fee under 37 C.F.R. 1.18 to Deposit Account No. 06-1205 is hereby revoked. The Assistant Commissioner is hereby authorized to charge any additional fees under 37 C.F.R. 1.16 or 1.17 which may be required during the entire pendency of this application, or to credit any overpayment, to Deposit Account No. 06-1205. |
| 5. X Applicants' undersigned attorney may be reached in our New York office by telephone at (212) 218-2100. All correspondence should be directed to the address given below. |
| Respectfully submitted, |
| |

Peter G. Thurlow Attorney for Applicants Registration No. 47,138

ty G. Thuslaw.

FITZPATRICK, CELLA, HARPER & SCINTO 30 Rockefeller Plaza
New York, New York 10112-3801
Facsimile: (212) 218-2200

NY_MAIN 453309v1